

## GEARY LAW TO STAND

The Supreme Court Affirms Its Constitutionality.

## JOHN CHINAMAN MUST GO

Chief Justice Fuller and Associate Justices Brewer and Field File Dissenting Opinions.

WASHINGTON, May 15.—The supreme court today, through Justice Gray, sustained the decision of the New York courts in favor of the constitutionality of the Geary expulsion act. Justice Brewer dissented. Dissenting opinions were also filed by Chief Justice Fuller and Justice Field.

The announcement that a decision in the case was expected attracted a large attendance of spectators and the fact that it was the last day of the term accounted for the presence of an unusually large array of attorneys within the bar, including Attorney General Olney, Solicitor General Aldrich, Senators Pugh, Duff and Cockrell, Ex-Justice Strong and several members of the diplomatic corps were interested spectators.

### Justice Gray's Opinion.

Justice Gray said in announcing the judgment of the court that the power of this nation to restrict or prohibit the immigration of any alien into the country, or to require such aliens already in the country to remove themselves, was a well-settled principle of international law and was confirmed by an unbroken line of decisions in this court. The legislative power of the government had not transcended any of its constitutional limitations in the act under consideration. It was within its power to determine the regulations under which these aliens should be permitted to remain in the United States, or failing to observe these regulations they should be required to leave the country. The provisions of section 4 of the act, which are the parts of the law particularly at issue, are not inconsistent with the relations and duties of the legislative and judicial departments of the government.

### Can Determine Evidence.

The mode of procedure set forth in the section is similar to that in other well established proceedings, such as habeas corpus and naturalization, fixing the requirements of citizenship and the like, in which the judicial branch of the government accepted the determination of the executive upon the questions involved.

As to the requirements that the Chinese entitled to remain in this country should establish that right by the evidence of one credible white witness, Justice Gray said that it was within the power of the legislature to determine the character of evidence that might be received in a case at law and what force should be given to the testimony so offered.

### A Hearing Denied.

Not discussing the wisdom nor the justice of the act in question, which was beyond the province of the judicial branch of the government, it remained only to say that the judgment of the circuit court for the southern district of New York in refusing to grant writs of habeas corpus to the several petitioners was affirmed.

Justice Gray stated that it had been impossible in the brief time elapsing since the hearing of the argument upon the petitions, to prepare in waiting the opinion of the court, it would be filed as soon as it was possible.

After the court had concluded the announcement of the opinion, J. Hubert Ashton, of counsel for the Chinese, moved for a rehearing of the case and an argument before a full bench at the next term. The court took a short recess to consider the motion and, upon recess adjourning, refused to grant it. So the opinion stands as announced.

### CARLISLE ADMITS IT.

He Says His Interview Was Correct Barring Misquoting.

WASHINGTON, May 15.—The Washington Post has published the following language to Secretary Carlisle on Saturday in an interview as to the removal of Mr. Sturtevant, head of the bureau of mining, from the position which he had held in the department for twenty years, and whose retention was understood to have been requested by the Hon. Carl Schurz and other civil service reformers: "I make this change after mature deliberation, and upon complaints from respectable sources. I will not call them charges, but they were sufficient to warrant a new appointment. The statement that my son Logan had any thing to do with the matter is baseless, as he is absent against any change at present. The statement that any officer under this government is entitled to its efficient administration is absurd. I propose to put in his place an able and hard working man who will manage the purchase of stationary just as well as the disposal of the same. The criticism in regard to the change is entirely unwarranted, which brought about the change. The resignation of Mr. Sturtevant has been held up for a few days, but today I determined to accept it and have sent him a letter accordingly as a result of these attacks."

### RECEIVER APPOINTED.

The Sioux City Street Railway Company Seeks to Protect Creditors.

SIOUX CITY, Ia., May 15.—Upon application of A. F. Nash, one of the stockholders, Judge Starnes today appointed James F. Pomeroy receiver of the Sioux City Street Railway company. Mr. Pomeroy is president of the railway company and is given full possession so that its business may proceed without interruption. On August 1, 1890, the company issued \$225,000 bonds secured by deed of trust upon property to the value of \$1,000,000. Since that time the company has been unable to pay the interest on the bonds. The bonds are now in default of interest at 3 per cent, of the bonds \$225,000 were deposited with the

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### ORDERLY LYNCHING.

Terrill Hanged by a Mob for Conductor Price's Murder.

RECORD, Ind., May 15.—At 2:10 o'clock this morning a mob of about 100 men appeared before the jail here, forced the sheriff to give up the keys and took John Terrill, who murdered Conductor L. A. Price at Seymour, from his cell and hanged him in the jail yard. Terrill begged for his life, but his appeals were met with silence. The lynching was conducted in the most orderly manner, Terrill's cries being the only sound heard. After lynching their man the mob retired and the jail was not taken down until daylight, after which it dispersed. Terrill was hanged to a tree in the jail yard within twelve feet of the railroad track, so that all passing trains this morning could see his body. He was dressed as though he had been a respectable citizen. They completed the job at 2:50 o'clock. There were forty-three men at the jail masked and about fifty others standing guard at different points.

### GATHERED IN BAGS.

Bodies of the Calumet Mine Victims Brought to the Surface.

CALUMET, Mich., May 15.—The relief party of eighty men who went down through an inclined shaft over a mile away, and connected with the Red Jacket shaft by a long drill or tunnel, have returned to the surface. They brought up the bodies of the victims. The bodies of the victims were brought to the surface. The bodies of the victims were brought to the surface. The bodies of the victims were brought to the surface.

### ONE MAN KILLED AND THREE HURT BY A MINE EXPLOSION.

LINCOLN, Ill., May 15.—An explosion of coal gas occurred in the mines of the Lincoln Coal company last night by which one miner lost his life and three others were seriously injured. The explosion occurred nearly two miles from the mouth of the shaft, and was caused by the lighting of a match by Michael Gleason and Henry Wilmoth, who laid aside the safety lamps furnished by the mine officials and used their own, which were not provided with safety appliances. The explosion shattered all the doors in the mine entrance and blew a great quantity of coal into the air. Michael Gleason was caught under the falling mass of coal and instantly killed. He leaves a widow and three children. The injured are Joseph Page, skull fractured; Henry Wilmoth, skull lacerated; and Henry Wilmoth, skull lacerated. Several others received slight injuries.

### RUN OF A MINNEAPOLIS BANK.

Depositors of the Farmers and Mechanics' Bank.

MINNEAPOLIS, May 15.—A run on the Farmers and Mechanics' Savings bank began this morning and at 11 o'clock there was a line of 100 small depositors waiting to draw their money. The bank is one of the most prosperous and solid in the state, and its depositors are entitled to the safety of the vaults and \$2,000,000 more in easily convertible bonds now quoted at a premium. It is not possible to draw out more than \$100,000 a day, so that the bank is able to stand a run for a month. The same bank had a run six years ago and withstood it well. It has now over 2,000 depositors. The Farmers and Merchants State bank has suspended payment. The bank is a very small one, its paid up capital being but \$30,000 and its surplus about \$2,000.

### MORMONS INVADING WYOMING.

CHEYENNE, Wyo., May 15.—Mormons hold the political balance of power in three counties of this state. They are preparing to invade a fourth. George Osmond is organizing a large party to settle in the Big Horn basin. This is one of the most fertile regions in Wyoming and has numerous farms. It has very few people on account of its isolation, being nearly 30 miles from a railway.

### Denver Cotton Operatives Strike.

DENVER, May 15.—Two hundred operatives at the Overland cotton mills in this city quit work this morning because of an order from the proprietors to work the hours of work from six to six, six days a week. Many of the operatives are children, ranging from eight years upward. The average of wages is 85 per cent.

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Credit for the successful culmination of the plan of the congresses is due to the special committee appointed to prepare for the congresses and to secure the presence at them of distinguished people. This committee, which took for its motto "Not things, but men; not matter, but mind," consisted of Charles C. Bennett, president; Thomas B. Bryan, vice president; Lyman J. Gage, treasurer; Benjamin Butterworth and Clarence E. Young, secretaries. Mrs. Potter Palmer and Mrs. Charles Henriotin were president and vice president respectively of the women's branch of the congresses.

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The reason for the chilly silence with which Diablo's victory was received is rather difficult of explanation. Even though the winner was an extreme outsider, which fact of course had its effect, the race going public are too generous to allow that to weigh in the balance and generally give applause where applause is due. The probabilities are that the people felt instinctively that they had, in a measure, been the victims of what is termed a grand coup. Diablo was regarded as being in the first flight in 2 and 3-year-old form, but after his third year his legs became shaky. Since then he has been regarded simply as a high class selling plate that was likely to break down permanently in any race in which he started. The horse has won three times at the recent Elizabeth races, winning once out of three starts. Race and Charade, two horses that ran in the handicap today were the winners of those races and beat him easily. His nominal improvement in form today was therefore all the more stunning in its effect.

### Value of the Race.

The Brooklyn handicap run today was the seventh in the history of the events and was worth \$25,000. Of this sum the winner gets \$18,000, the second horse \$5,000 and the third \$2,000. The day dawned bright and fair, much to the delight of the many thousands of persons that had determined to see the rich stake contested for. As the day advanced and the bright weather prospects of the morning were really realized, people set their faces towards race course and soon the different driveways and railways leading thereto assumed an animated appearance. By 11 o'clock a few hundred spectators had already reached the course, and these eagerly seized upon the best points of vantage, which places they retained at least until the event of the day was decided.

By noon several thousand lovers of the sport of kings had entered the enclosure, while the rapidly arriving trains deposited thousands of others outside every few minutes, who poured through the gates in a steady stream. At this hour the scene inside the track was already one of bustle and animation.

### Scenes in the Ring.

The grand stand was quite comfortably filled with ladies and their escorts, while on the lawn, in the paddock, the betting shed and in the field men and boys were leisurely moving about, the men discussing the merits of the various horses and jockeys that were to engage in the great race, the boys looking curiously around to satisfy their youthful curiosity. The crowd was gradually and steadily augmented until, when the bell rang for the first race, it was difficult to move about with any degree of comfort on the lawn or in the betting enclosure. The men and boys were rapidly arriving with thousands of others. At handicap time at least 30,000 people were present.

The betting ring presented a wild and boisterous scene. The jockeys were something awful. Men rushed madly about looking for the odds they wanted and shaking greenbacks in the faces of the bookmakers when they found them. The first three races on the card were a mere relief to the spectators, only serving to whet the appetite for the big event of the day.

### How They Came Out.

When, therefore, the hagle called the horses to the post for the big event, excitement was on tiptoe. It was just one minute past 4 when the horses were summoned from the paddock. Feline of William Daly's string, was the first to appear, quickly followed by his stable companion, Terrill. Then came Banquet, Nomad and Kewland, Michael P. Dwyer's candidate. "Old Bones," as Raceford is affectionately called, was loudly cheered, as was Jockey Garrison, who had the mount on Banquet. Charade was next to come on the track, and following were Judge Morris, the winner of last year's Brooklyn handicap, and Hilma, the only representative of the west in the race.

J. A. and A. H. Morris' representative was saddled at the other side of the track and did not pass the stand. Lamplighter, Diablo, Pickpocket and Loanwell were the last to appear and went to the post together. Lamplighter was enthusiastically applauded, the ovation showing where the hopes and desires of the public were. The usual parade was dispensed with, the horses going to the starting point as they do in any ordinary event.

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